REMARKS

Claims 1-16 remain in this application. No claims have been amended. Applicants respectfully request further examination in view of the following.

Objections to Specification

The disclosure is objected to due to informalities. The Examiner observes that in paragraph 0025, the media server is referenced as 26 but should be referenced as 28 in accordance with its labeling in Fig. 1. Applicants have amended this paragraph (believed to be paragraph 0027, as numbered in the patent application as published) to correct his informality. The Examiner also states that in Fig. 1 there is a textual label indicating that elements 32 are "packet telephones," but the specification refers to elements 32 as "graphics terminals." Applicants respectfully submit that the labeling in Fig. 1 is not incorrect, as a packet phone is a type of graphics terminal. However, if the Examiner believes it will improve clarity, Applicants would be amenable to submitting a replacement drawing sheet in which the "packet telephone" label has been deleted from Fig. 1.

Applicants note the Examiner's statement regarding the use of the trademark MACROMEDIA FLASH in the specification and believe that the term is indeed properly set forth in the specification in all-capital letters per the MPEP.

Applicants have carefully reviewed the specification and noted a few other minor informalities in paragraphs 0032 and 0085 and amended these paragraphs to correct the informalities.

Rejections of Claims 1-3, 9, 10 and 11 Under 35 U.S.C. 102(b) — Ransom

Claims 1-3, 9, 10 and 11 stand rejected under 35 U.S.C. § 102(b) as anticipated by Ransom (U.S. Patent No. 6,775,362). Applicants respectfully traverse this rejection.

As a preliminary matter, it is respectfully submitted that Ransom is not prior art under Section 102(b) but rather only Section 102(e). Ransom has a filing date of March 6, 2002 and issued on August 10, 2004, which is not more than one year before the filing of the instant application, which was filed on October 31, 2003. Applicants also respectfully point out that the instant application and Ransom are co-owned by the same assignee, Alcatel.

Moreover, Applicants respectfully submit that claims 1-3, 9, 10 and 11 are not anticipated by Ransom for at least the following reasons. With regard to independent claims 1 and 9, Ransom does not disclose a monitored terminal and a monitoring terminal, and that the graphical proxy server not only sends graphical commands to the monitored terminal that implement a graphical user interface but also sends graphical commands to the monitoring terminal that are "indicative of actions taken on the monitored terminal." Ransom does not in any way describe one terminal being used to monitor another. Rather, all that Ransom describes in relation to graphical commands is that "when the user performs specific operations on the packet telephone 32, such as by clicking on a graphical object (or pressing an object using a touch screen) . . . control information about the action taken by the user (the "event") is sent to the [graphical proxy server] 34 using a graphics protocol." (Ransom, col. 4, lines 36-42.) Nowhere in Ransom is it stated or suggested that the packet telephone 32 is monitored. Nowhere in Ransom is it stated or suggested that any commands are sent to a second packet telephone or terminal that are "indicative of actions taken" on a first packet telephone or other such terminal. For at least these reasons, Ransom does not anticipate claim 1 and 9 and the claims that depend therefrom.

Furthermore, it is noted that under 35 U.S.C. § 103(c), Ransom is inapplicable for purposes of 35 U.S.C. § 103(a) because at the time the claimed invention was made the claimed invention was owned by the same party to which Ransom is assigned.

Rejections of Claims 4 and 12 Under 35 U.S.C. 103(a) — Ransom and Keren et al.

Claims 1-3, 9, 10 and 11 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Ransom (U.S. Patent No. 6,775,362) in view of Keren et al. (U.S. Patent Application Publication 2001/0024469). Applicants respectfully traverse this rejection.

Claims 4 and 12 further recite that the monitored actions are displayed in real-time on the second terminal. Keren et al. discloses a system in which, among other things, one subscriber can monitor the actions of another "by having their compressed video stream incorporated into [the monitoring subscriber's] video stream." (Keren et al., ¶ 0445.) Applicants respectfully point out that claims 4 and 12 are not merely directed to remote monitoring of one computer with another, but rather doing so through graphical commands that communicated to and from the user interfaces. A video stream (e.g., MPEG, as indicated in Fig. 1 of Keren et al.) does not

consist of graphical commands that are used by a user interface. Moreover, Keren et al., like Ransom, does not teach anything relating to monitoring a terminal through the use of graphical commands sent to and from a graphical proxy server. In any event, regardless of what Keren et al. may or may not disclose, Applicants respectfully submit that under 35 U.S.C. § 103(c) it is improper to use Ransom as a base reference in a rejection based upon 35 U.S.C. § 103(a) because the subject matter was co-owned at the time the claimed invention was made.

Rejections of Claims 5 and 13 Under 35 U.S.C. 103(a) — Ransom and Curry

Claims 5 and 13 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Ransom (U.S. Patent No. 6,775,362) in view of Curry (U.S. Patent No. 6,055,552). Applicants respectfully traverse this rejection.

Claims 5 and 13 further recite that the graphical commands indicative of the monitored actions are stored (e.g., in a file). Curry discloses a system in which, among other things, data entered into a digitizing touch screen pad is captured. Curry, like Ransom, does not teach anything relating to monitoring a terminal through the use of graphical commands sent to and from a graphical proxy server. Furthermore, storing what a person writes on a touch screen pad has nothing to do with storing graphical commands of a type that are used to control a user interface. Rather, the problem addressed in Curry appears to be how to store what is more or less free-form drawing or "pen strokes." In any event, regardless of what Curry may or may not disclose, Applicants respectfully submit that under 35 U.S.C. § 103(c) it is improper to use Ransom as a base reference in a rejection based upon 35 U.S.C. § 103(a) because the subject matter was co-owned at the time the claimed invention was made.

Rejections of Claims 6 and 14 Under 35 U.S.C. 103(a) — Ransom, Curry and Kulakowski

Claims 6 and 14 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Ransom (U.S. Patent No. 6,775,362) in view of Curry (U.S. Patent No. 6,055,552) and further in view of Kulakowski (U.S. Patent No. 4,575,827). Applicants respectfully traverse this rejection.

Claims 6 and 14 further recite that the graphical commands indicative of action taken on the monitored terminal are time-stamped. Time-stamping events that occur in a digital system is, in and of itself, a well-known principle, and Kulakowski does not disclose or suggest anything more relevant to the invention as claimed than the existence of this principle in the context of a

magnetic disk recording system. Kulakowski, like Ransom and Curry, does not teach anything relating to monitoring a terminal through the use of graphical commands sent to and from a graphical proxy server. Regardless of what Kulakowski may or may not disclose, Applicants respectfully submit that under 35 U.S.C. § 103(c) it is improper to use Ransom as a base reference in a rejection based upon 35 U.S.C. § 103(a) because the subject matter was co-owned at the time the claimed invention was made.

Rejections of Claims 7, 8, 15 and 16 Under 35 U.S.C. 103(a) — Ransom and Hess

Claims 7, 8, 15 and 16 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Ransom (U.S. Patent No. 6,775,362) in view of Hess (U.S. Patent No. 5,835,696). Applicants respectfully traverse this rejection.

Claims 7, 8, 15 and 16 further recite that the monitoring terminal also receives "presence information." Presence information is defined as including "information on the identity of any persons using the monitored terminal 32a and the times of such use, how the monitored terminal is used (i.e., what programs were used), and the identities of parties in communication with the monitored terminal 32a . . . ." (Specification, ¶ 0085, as amended above to correct informalities.) Hess relates to a backup facility for network data routers. The Examiner quotes a portion of Hess that relates to routing data traffic to a standby port. Applicants fail to understand how this bears any relation to identifying presence, i.e., who is using the monitored terminal, at what times, with what programs, with what other parties, etc. It is further noted that, Hess, like Ransom, does not teach anything relating to monitoring a terminal through the use of graphical commands sent to and from a graphical proxy server. Regardless of what Hess may or may not disclose, Applicants respectfully submit that under 35 U.S.C. § 103(c) it is improper to use Ransom as a base reference in a rejection based upon 35 U.S.C. § 103(a) because the subject matter was co-owned at the time the claimed invention was made.

CONCLUSION

For the above reasons, the foregoing amendment places the Application in condition for allowance. Therefore, it is respectfully requested that the rejection of the claims be withdrawn and full allowance granted. Should the Examiner have any further comments or suggestions, please contact Bobby Slaton at (972) 477-1497.

Respectfully submitted,

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